

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

**CARLOS A. GARCIA-PEREZ,
et al.,**

Plaintiffs,

v.

ALVARO SANTAELLA, MD, et al.,

Defendants.

Civil No. 97-1703 (JAG)

**PLAINTIFFS' MOTION REQUESTING
ORDER TO OBTAIN MEDICAL RECORDS**

TO THE HONORABLE COURT:

COME NOW the plaintiffs, through the undersigned attorneys, and to this Honorable Court respectfully state and pray:

1. As discussed during the Status Conference held on September 24, 2004, in the case of reference, plaintiffs were in the process of obtaining the medical records of all the treating physicians of minor plaintiff Carla Isabel García-Baerga.

2. In order to expedite said process, avoid privacy or HIPPA law allegations, and as suggested by Magistrate Aida Delgado, plaintiffs hereby request an Order from this Honorable Court to obtain the medical records of minor plaintiff Carla Isabel García-Baerga, date of birth [REDACTED] and social security number [REDACTED], existing at the offices of the following doctors:

1. **Dr. Freeman Miller**, Pediatric Orthopaedic Surgeon
Alfred I. Dupont Hospital for Children
Medical Records Department
Health Information Management Services
P.O. Box 269
Wilmington, Delaware 11999
(302) 651-4460
2. **Dr. Luis Alvarez**, Neurologist
3200 SW 60th Ct.
Miami, FL 33155
Tel: (305) 662-8330
Fax: (305) 669-5869
3. **Dr. José Aníbal Collazo**, Orthopedist
Hospital Menonita
Edificio profesional, Suite 307
Aibonito, Puerto Rico 00705
(787) 735-0333
4. **Dr. Tomás Carrera**, Pediatrician
Calle Del Parque #220
Santurce, Puerto Rico
(787) 724-0991
5. **Dra. Rosario Méndez**, Physiatrist
San Jorge Children's Hospital
San Jorge Medical Office Building
252 San Jorge Street, Suite 205
Santurce, Puerto Rico 00912
(787) 268-5281
6. **Mrs. Marla Agosto**, Physical Therapist
P.O. Box 2028
Guaynabo, Puerto Rico 00970
(787) 310-7167
7. **Mrs. Carmen Abril**, Physical Therapist
Urb. Delicias
Río Piedras, Puerto Rico 00924

8. **Dr. Pico Tort**, Ophthalmologist
Calle 2 #J12A
Ext. Hermanas Dávila
Bayamón, Puerto Rico 00959
(787) 780-0677

3. The abovementioned medical records are necessary in the instant medical malpractice case inasmuch as they are directly related to the damages caused to minor plaintiff by the defendants.

WHEREFORE, plaintiffs respectfully request that this Honorable Court take note of the above and that it issues an Order directing the abovementioned treating physicians to provide a certified copy of the medical record of minor plaintiff Carla Isabel García-Baerga.

Respectfully submitted.

In San Juan, Puerto Rico, this 12th day of October, 2004.

I HEREBY CERTIFY: That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Pedro J. Córdoba, Esq., P.O. Box 9023998, San Juan, Puerto Rico 00902-3998; Angel R. de Corral-Juliá, Esq., De Corral & De Mier, 130 Eleonor Roosevelt, San Juan, Puerto Rico 00918-3105; Marta E. Vilá-Báez, Esq., Sánchez, Betances & Sifre, P.O. Box 195055, San Juan, Puerto Rico 00919-5055; Roberto Ruiz-Comas, Esq., González Pando Plaza, 1181 Jesús T. Piñeiro Avenue, San Juan, Puerto Rico 00920-5604; José Enrique Otero, Esq., P.O. Box 9023933, San Juan, Puerto Rico 00902-3933; José Héctor Vivas, Esq., Vivas & Vivas, P.O. Box 330951, Ponce, Puerto Rico 00733-0951; Igor J. Domínguez, Esq., 652 Muñoz Rivera Avenue, Suite 3125, Hato Rey, Puerto Rico 00918-4261; Doris Quiñones-Tridas, Esq., 113 Padre Las Casas, Suite 601, Urb. El Vedado, San Juan, Puerto Rico 00918-3116; Pedro Toledo-González, Esq., Julio Bogoricin Building, Office L-06, Lobby, 1606 Ponce de León Avenue, Santurce, Puerto Rico 00909.

s/ Joan S. Peters

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